The Disch Making will be Continued by Mr. Crimmins - Taik of Indicting Western Union Officers-Fighting the Permit.

With great effort the Consolidated Telegraph and Electrical Subway Company succeeded in getting together four alleged directors yesterday to act in conjunction with the counsel of the company in preparing to begin work on a new section of the autway to-day. According to the last published list the directory of the company consists of nine memhere exclusive of the counsel and Secretary. At yesterday's meeting there were present Ewald Balthazar, Treasurer and acting Prestdent, and Messra. E. E. Gedney, J. M. Motley, and C. P. Diestendors, with Edward Lauterbach, counsel. The absentees were Henry Fitzhugh, ex-President; Henry J. Davison, Vice-President, and Messrs, James B. Houston, Frank L. Freeman, and John Hoey. Thus the shantees outnumbered those present so that there was really no quorum in attendance and no valid meeting. This shows the desperate condition of the alleged company, which consists only of figurehead directors and officers. And of these it is impossible to secure the attendance of enough members to constitute a valid meeting.

But it was absolutely necessary to go through the form of holding a meeting yesterday, as two weeks ago the Subway Commissioners adopted specifications for an additional section of the aubway, extending from Twenty-third street and Sixth avenue down the avenue to Carmine street, and directed that the construction company begin work on that section to-day. Their contract requires them to obey such instructions when given, and their haifmillion-dollar bond is a guarantee for compilance with the terms of the contract. Hence failure to begin work on that section to-day as directed would have been a violation of the contract and rendered their bond liable to forfeiture; and up to this neeting the company had made no arrangements whatever for the work. It was a narrow escape for them: so pretence of transacting business without a

But there was not much business done. Mr.

pretence of transacting business without a quorum.

But there was not much business done. Mr. John D. Crimmine, who has aiready acquired a pretty healthy lien upon the franchise of the company by his work upon the upper section, stood ready to take the contract to dig the trench for the new section on the same terms as his present contract—that is, to keep a record of his expenditures, and when the job is completed to add flitteen per cent, to it, and to be paid that amount in cash, stock, or bonds, according to the convenience of the company. And the contract was awarded to him on those terms, and the ditch digging will be commenced this morning.

But for the conduit itself there was not such plain sailing. The contract made with the Dorsett people and published in the papers applies only to the section from Twenty-third about that before the character of the stuff was known a secret contract was made binding the company to use it in all the subways to be built. It this is true, it only develops another of the company's embarrassments. In view of this situation the meeting yesterday determined not to make any contract for material at present, claiming the ditch digging as a sufficient commencement of work to save the contract and bond, and see if some road out of the difficulty cannot be discovered within the course of a day or two. Meantime they have been experimenting on the manufacture of conduit in situ with the Dorsett material, and have sent agents to Washington to ransack the Patent Office and ascertain if they can safely pursue that course. Dorsett has no patent for such form of contraction, but the Averell people and one or two there companies have. And there is danger that if that method of construction is adopted their liability for damages for infringement of patents will be even greater than Dorsett materials and have sent agents to Washington to ransack the Patent Office and ascerting from the Metropolitan Telephone Company enclosing a form of course that company was willing to enter into for the

The Electric Lines Company, which coams a francise to build an independent subway throughout the city, but to which was recently refused a mandamus to composithe Commissioner of Public Works to issue to it a permit to open the streets, yesterday, through Roger Foster, its autorney, amplied to Judge Truax of the Superior Court for an injunction to step the pending work in Sixth avenue. The company bases its application upon its alleged the Superior Court for an injunction to step the pending work in Sixth avenue. The company bases its application upon its alleged franchise and the allegation that the Subway Commission is now using the very ground which it had designated as the location for its subway. He aim challenges the bermit under which the Subway Commission and its servants are working. Judge Trunx granted an order to show cause on Thursday next why the lipunction asked for should not be granted. The order is addressed to the Subway Commission ers, the Coaso idated Telegraph and Electrical Subway Company, the American Insulated Company, and John D. Crimmins.

The question of the validity of Squire's permit, under which the Subway Company is now working, is raised in the above presenting.

On that point the Corporation Connect yesterday advised the Commissioner of Public Works as follows:

Your letter states, first, that said permit was signal by the Chef formers alsee, first, that said permit was signal by the Chef formers asked, first, that said permit was signal by the Chef formers asked, first, that said permit was signal by the Chef formers asked, first, that said permit was signal by the Chef formers asked, first, that said permit was signal by the Chef formers asked, first, that said permit was signal by the Chef formers asked, first, that said permit was signal by the Chef formers asked, first, that said permit was signal by the Chef formers asked, first, that said permit was signal by the Chef formers asked, first, that said permit was signal by the Chef formers asked, first, that said permit was signal by the Chef formers asked, first, that said permit was signal by the Chef formers asked, first, that said permit was signal by the Chef formers asked, first, that said permit was signal by the Chef formers asked, first, that said permit was signal by the Chef formers asked, first, that said permit was signal by the Chef formers asked, first, that said permit was signal by the Chef formers asked, first, that said permit was signal

Is follows:
Your letter states, first, that said permit was signed by he Chne Engineer of the Croton Aqueduct and approved y Rottin M. Equire as Commissioner of Public Works in the 26th of Angust, prior to the receipt of official insertiation by Mr. Equire that the Governor hall approved determined from office.

Becond, that on the 30th of August an anteration was inde in the conditions of the permit by the Chief Engineer of the Croton Aqueduct, by authority and instruction of William V. Smith, then Debuty and Acting tominssioner of Public Works.

It is not now necessary to enter into any discussion in

meer of the Grotin Aquenuct, by autority and materiaties not William V Smith, then Deputy and Acting commissioner of Public Works.

It is not now necessary to enter into any discussion in
relation to the right of Mr. Squires to sign the instrument
inquestion. The subsequent action of the acting Commissioner of Public Works, directing the attention
manich is a ratification and issue of the permit, which
overcomes any objection which may have existed by
reason of defect in the authority of Mr. squire to sign
and issue the same.

Mr. Shebburne, that the permit is
the processes of the substitution of the squire to sign
and issue the same.

Mr. Shebburne, that the permit is
the specialise of the substitution of the squire to sign
and issue the same.

Mr. Shebburne, that the permit is
the specialise of the substitution of the company
has acquired the right to occupy, rasses a contention
which should not be passed upon by your department.
The permit cannot in any manner affect any right which
the Electric Lines Company has acquired.

If that company has any exclusive right to the space
which the Subway Commissioners propose to occupy,
the permit will not preclude it from asserting and vindealing that right in any appropriate action against the
persons who have trespassed thereon. The controversy
between the Commissioners of Electric Mucways and
the Electric Lines Company should be decided by the
courts. It furnishes no ground, however, for the revocallion or withdrawai of the permit by your this time.

On Sunday the Western Union Telegraph

courts. It furnishes no ground, however, for the reveation or withdraws of the permit by you at this time.

On Sunday the Western Union Telegraph Company bid the Subway Commissioners further deliance by opening the mainholes of their Broadway subway, and, without permit, running in a leading wire into one of the ducts provided for telegraph cables. They had previously obtained a permit from the Department of Public Works to open this subway, ostensibly to repair their pneumatic tubes, and the permit as granted expressly forbade the laying or attempting to lay any telegraph wires or cables. But the telegraph company claim that they do not require any permit to do the work they did on Sunday; that the subway is sireadly constructed and in partial operation; that it is provided with tubes or ducts for telegraph cables which they intend to put in in due time; that a single wire is pinced in each of these ducts to facilitate the drawing in of the cables when ready, and that the work of Sunday was merely replacing one of these drawing in wires which had either been misplaced or had rusted out. They explain that they did the work on Sunday merely because on that day Broadway is less crowded with vehicles than on week days, and the men could work then with less interruption to themseives and to the traffic on the street.

Superintendent Brown said that people seemed to have an idea that the Western Union

sinterruption to themselves and to the traffic on the street.

Superintendent Brown said that people seemed to have an idea that the Western Union Telegraph Company is opposed to the work of the Subway Commission, and desirous of the Subway Commission, and the Subway Commissioners would let them alone in the enjoyment and exercise them. If the Subway Commissioners would let them alone in the enjoyment and exercise of their rights they would not trouble the Commission nor interfers with its work.

"We certainly have the right," he added, "to do as we please with our own property, and to make necessary robairs without a nermit. For instance, a few days ago we had a bad break up on Broadway and regaired it without a sting for permission. As to the prepased cables, it would be premature to say anything."

Counsel Gibbens of the Subway Commission was very sone the Western Union had no right to lar any wirea either underground or overhead, without a permit from his Commission, the had not had time to look into the matter, but thought they had no legal right to put a wire in their conduit. He heard last week that they intended to run cables through it and examined the document. It was simply a permit to repair the neumantic tubes; but it also expressly prohibited the running of wires or cables through the running a were through these were no rights given to run wires through the running a were through the subset through the subset through the running a

wires under ground be stopped. The letter Evidence is now being collected by the District Attor-ney of this city for the indictment of the same corpora-tion and its chief officers for a similar office.

tion and its chief officers for a similar offence.

District Attorney Martine's attention was called to this nanatraph yeaterda, afternoon.

"This is hardly the fact," he said, "Mr. Gibeens called my attention to the subject last week and I authorized him to collect evidence, if he could, that would justify action by the Grand Jury. This he undertook to do, and his report was to have been handed in to-day. I understand that it will be ready to-morrow. The Western Union Company also asked to be allowed to make a showing of what they claim are facts tending to show that they acted within the law. This statement is also, I understand, to be ready to-morrow."

PROBIBITION CUMBIDATES.

T. Gardner Ellsworth for President of the Board of Aldermen.

The City and County Committee of the Prohibition party met at the Prohibition headquarters at 32 East Fourteenth street last night to hear from the candidates put up at Tuesday night's convention for Mayor, President of the Board of Aldermen, and Register, All the nominees were there. Mr. William T. Wardwell handed in the following letter accepting the nomination for Mayor:

I accept the nomination for Mayor:
I accept the nomination, endorse the platform of the convention, and nearthly sympathire with the purposes of the prominion party in its efforts to destroy the injury tradite and the power of the saloun in publics. I am roady to what it am place or do any labor that will best serve the cause.

The reading of this was followed by chaors.

The reading of this was followed by cheers, The reading of this was followed by cheers, and so was the acceptance of Charles E. Manierra for the office of Register. Henry Wisson, in a letter to the committee, declined to accept the nomination for President of the Board of Aldermen. A bailot to supply the yearney resulted in the nomination of T. Gardner Elisworth, an electrician, whose office is at 39 Naesan street. He lives at 294 West Houston street, in the Fifth district. He has been a Republican. Mr. Elisworth was not present, but is expected to accept.

All nominations for Congress and the Assembly must be made before Oct. 5. So lar five candidates are up for Congress. They are Dr. James M. Gasso. Twelfit; Jessie H. Griffin, Fourteenth; J. A. Bogardus, Sixth; J. F. Shorey, Seventh, and the Nev. N. B. Thompson, Tenth.

LENA YAEKEL'S ESCAPE.

Taken by a Strange Man from this City to the Woods Near Constste.

Fourteen-year-old Lena Yackel of 392 East Fifth street went to 7 Frankfort street, second floor, yesterday, to answer an advertisement which appeared in a German paper for a girl to mind children. The rooms on the secand floor were locked. On coming down stairs she meta man at the door who asked her her business. She told him, and then he said a lady from Brooklyn who had advertised had lady from Brooklyn who had advertised had requested him to bring a girl to her house. Lean went with the stranger to Brooklyn.

Last evening at dark she was found wandering on the road from East New York to Canarsie by a farmer. She begged his protection, and he accompanied her to the ponce station in East New York. There she told Capt French that the man took her to East New York in the rapid transit train, and on leaving the train he took her from the highway toward Vanderveer's woods. Hefore emering the woods, however, she suspected his purpose, and ran away and shouted for help. The farmer heard her cries. She describes the man as a Gorman, about 35 rears old, with licht complexion and dyed moustache, and dressed in a black frock coat and low Derby hat.

THE BROWN STONE STRIKE.

Cutters and Derrickmen Will Not Work with Non-Union Rubbers.

Fifteen hundred brown-stone cutters met last night in Brevoort Hail, Fifty-fourth street and Third avenue, and decided with the Der-

said." was intended merely for a pneumatic tube, and there were no rights given for an wires through it, In running a wire through it they have, therefore, become itshie."

Mr. Gibbens wrote to the Police Commissioners restered as saing that any attempt on the part of the Western Union Company to run

AMUSEMENTS.

Genevieve Ward in "The Queen's Favorite. The reappearance of Miss Genevieve Ward at the Star Theatre last evening was in Scribe's "Un Verre d'Eau," translated by Mr. Sydney Grundy and entitled "The Queen's Favorite." She played the Inchess of Marthorough, whose rise and fall at the court of Queen Anne are the theme of the comedy. The Grundy version of Scribe's work eleverly preserves much of the wit of the original, and provides for Miss Ward a part in which her abilities are advantagea cart in which her abilities are advantagecusly displayed. She exhibited a courtliness
that was oid-fashioned and suitable. Excepting the Holinebroke, by Mr. W. R. Vernon, an
actor of respectable quality, though by
no means brilliant, the company was dolorously incompetent to portray the niceties
of Scribe's characterization. There are only
seven persons in the play, and of course every
performer in so semail an assemblage ought to
be agreeable to see and hear. Between those
who lacked training and those in whom it had
never developed merits the wittlest badiange
lost point and the most nearly-catecived situations were awkward. The offender easiest to
forgive was Misa Tyndale, a ninee of Mr. Henry
Villard, for her faults were manifestly those of
a nowice, and her prottiness atoned for her
scant command of easy grace.

Miss Ward was warmly received by her personal friends, who abounded in the audience;
and her treatment of the Duckess's succession
of antagonistic dialogues with Bolingbroke, in
which the happy effects depended on highly
intelligent and elever elecution, was deserving
of the applause that was intelligently given.
She had costumed herself and her company
richly and correctly, and had prepared by
means of careful rehearsals for a polite,
piquant representation of the play. A judictous choice of players would have insured a
success for her praisoworthy venture. ously displayed. She exhibited a courtliness

HANLAN AND BEACH WRANGLING. The Canadian Makes All Serie of Offers, but

Beach will Row Only in Australia LONDON, Sept. 27 .- A boat race for £100 a side between Largan and the Australian ears-man, Nielsen, took place to-day on the Thames, from l'utney to Mortlake. The race was won by Nielson, who finished alone,

Beach and Hanian saw the race from the and ex-champion showed a marked coldness, not even shaking hands. Beach said he would not row in America if Hanlan offered him the whole of America to do so. In the course of their taik their voices rose to a high pitch, and much of it was heard by others on the boat. Here is a part of the dialogue:

Here is a part of the dialogue:
Hanilan-I have come to England expressly to row
you, and I hope you'll give me a chance
Beach—You're too late, my friend; live been waiting
several months for you, and, having fulfilled all of my
enagements, I shall not row here seem. I will row
you in Australia, and best 61,000 to 58% that I best you

TILLIE SMITH'S MURDER

THE TRIAL OF JANITOR JAMES J. TITUS TO BEGIN 10-DAY. 100 Witnesses for the Prosecution and

38 for the Prisoner-A Report that the Defence will be Emotional Installty. BELVIDERE, Sept. 27 .- The trial of James J. Titus for the murder of Tillie Smith will be the first case called on the opening of court in this village, the county sent of Warren county, to-morrow, and already many people from out of town are here and will remain until the verdiet of the jury. No case that has ever come up in Warren county has excited so general interest in all this part of New Jersey. The murder with which Titus is charged was such a horrible one, the standing of the arcused had been so good theretofore, and the web of circumstantial evidence woven about him is so peculiar, that the climax which is now at hand has been awaited impatiently all summer by the thousands who have followed the case from the beginning. The murder occurred on the night of Thurs-

day, April 8. Tillie Smith, the murdered girl, was a servant employed in the big boarding school in Hackets-

town, which is com monly called the Seminary. She had been brought up in very evil and squalid surroundings, yet against her purity not a word was to be said. Indeed, the admirable thing about her was her spirited ambition to better her condition.

TILLIR SNITH. paret, and to be surrounded with things and people who were clean and wholesome. She came to work at the seminary about Christmas time, and from that time until the night of her deck of a steamer. On meeting the champion | death she never neglected a duty and never was once out after 10 o'clock in the evening, when the seminary closes, and she had never once asked to go out. On the night she met her horrible fate there was some sort of her horrible fate there was some sort of an entertainment in Shield's Hall in the village, and Tillie went to it nione. When it was over, a few minutes before 10 o'clock, she walked rapidly off toward the seminary. After going a short distance she tell in with some girls of her acquaintance, and with them were two young mon. Munnich and Haring, who were drummers from Port Jervis. They had arrived in Hackettstown that evening. Munnich asked permission to secort Tillie to the seminary, and she consented. As they approached the building the lights in its windows went out, and Tillie remarked that she was locked out, but that she could get in by the back door. She started to go around to the servants' quarters in the rear, and that was the

FINANCIAL AND COMMERCIAL

New York Stock J.schange-Sales Sept. 27. 

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Some and those your layer has changery been weiting severa month for you, and having infinited aid only a your harden for you, and having infinited aid only a your harden for you. The harden for you can be a brainfailt on the aid your of the sum of the harden form as some a possible tool after the property of the part with the sum of the property of the part with th A Company of the Comp

Bank of England on balance to-day is £30,000, Paris advices quote 3 % cents at \$2.57),, and exchange on London 25.29. The statement of the Imperial Bank of Germany shows a de-crease in specie of 10,200,000 marks.

The issue of standard silver dollars from the mints during the week ended Sapt. 25 was \$372,098. The issue during the corresponding period of last year was \$664.493. The saligments of fractional silver coin since Sept. 1 amount to \$1.612.012.

New York Markets.

New York Markets.

Monday, Sept. 27.—Flour and Meal.—There was a more general demand, and prices suffered less general depression.

Corros.—Fatures were quite buoyant on the very favorable foreign advices until near the close, when there is a complete foreign advices until near the close, when there is a complete to the foreign advices until near the close, when there is a complete, size for January, 85:6, for Pabruary, Bose, for March, 88:6, for April, 9:76, for May, 88:6, for Junear, 85:6, for Pabruary, Bose, for March, 88:6, for April, 9:76, for May, 88:6, for Junear, 80:6, for May, 88:6, for Junear, 80:8, for June, 80:8, 10:6, for May, 88:6, for June and 89:76, for Junear, 80:8, for June and 89:76, for June and 89:76, for Junear, 8:12, for April, and briggsthyle, for May, 8pot wheat was sower, and the decime on the decime of t

Court Calendars This Day.

SUPREME COURT-CHAMBERS.-Nos. 14, 101, 2, 119, 120, 121, 128, 161, 169, 218, 225, 236, 242, 244, 245,

Years experience Proves Perry Davis'
PainKiller
Killer
CHOLERA
Chalera-Morbus Diarrhose Cholera-Morbus, Diarrhosa

Bysentery Summer Comhlaints, and all Diseases of the Borrels.

Mailroads.

NEW YORK CENTRAL AND HUBBON RIVER RAILROAD.

Commencing June 21, 1880, through trains will leave grand tentral Depoit 1880, through trains will leave grand tentral Depoit Express, drawing room cars to Ahany. Trey, shorters, syracuse, and Rochester. 1880 A. M., "The Limited," with dimine cars, stopping at Ahany, Utica, Syracuse, Rochester, Buffalo, Nugara Fails, Erie, Cleveland, and Toledo, arriving at Chicago at 9504 A. M. and St. Louis 7469 P. M. next day. 10:20 A. M. chicago Express, arriving at Chicago Richester, Buffalo, and Nugara Fails. 11120-A. M., Western New York and Northara Express, with drawing room cars. 3:20 P. M., Allomy, Trey, Sutatogs, and Utica Express; with drawing room and buffet cars to Troy and Sara-to D. M., Allomy, Trey, Sutatogs, and Utica Express; with drawing room and buffet cars to Troy and Sara-to D. M., Allomy, Trey, Sutatogs, and Utica Express; with drawing room and buffet cars to Troy and Sara-to D. M., Accommodistion to Allomy and Troy. to a 4 P. M. Accommodation to Albany and Troy.

44 P. M. Chicago and St. Louis Express, with eleoping cars for Naisara Faile. Huffain, Cinctinnil, Toleto, Dottott Chicago, and St. Lauis. Dinling car New York to Albany.

6:00 P. M. Montrell Express: sleeping cars to Syracos and Anbary Hoad, also to Montrel via Saratoga Allow.

10:00 F. M., Montreal Express: sleeping oars to Syracise and Aniotria Road; also to Montreal via Sarakous and via St. Allows.

20:15 F. M., Pacific Express, with sleeping oars, exp. 15 F. M., Pacific Express, with sleeping oars to Rocitester, Butfalo, Noiscara Falls, Cleveland, Clucinnati, Toledo, Detroit, and Chicago, sleeping cars to Clayton and Oxdensburg duly excent Saturday.

1:10 F. M., Night Express, with sleeping cars to Albany and They connects with trains for the West and to the North, except Saturday.

For local trains see time table trains for the West and to the North, except Saturday.

For local trains see time tables trains for the West and to the North, except Saturday.

For local trains even time tables trains for the West and to the North, except Saturday.

For local trains even time tables trains for the West and 125 th st., and at Westcottl's Express offlices. Flark place (near Bronchway), 785 and 842 Brondway, and 42 West 125th st., New York, 335 Washimston st., and 735 Fullow.

Accommodation in drawing room and sleeping cars can be procured at any of the traket offices in New York city, and at 335 Washimston st., Brookiya.

Hasking called for and checked from residence.

These trains rou daily: others duily except Sinday.

These trains rou daily: others duily except Sinday.

These trains rou daily: others duily except Sinday.

The D. M. K.N. P. R. G. G. P. A. A. A. L. E. O. B.